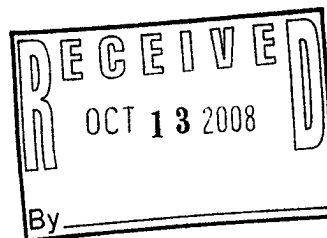




ENGINEERING CONSULTING SERVICES, INC.
CIVIL ■ ENVIRONMENTAL ■ MINING ■ SAFETY
1005 S. MAIN, STE. 102 CORBIN, KY 40701

October 10, 2008

Mr. William Shane
KPDES Branch, DOW
200 Fair Oaks
Frankfort, KY 40601



RE: Evans Coal Corporation
KY0107322
NOD Dated 09/08/08

Dear Mr. Shane:

In response to the above noted NOD, I offer the following considerations:

•KPDES Form 1, Item 1, III

I have enclosed a location map from the Artemus Quadrangle that includes items specified:

- 1 mile radius (red border)
- Pond outfalls (in red) with discharge numbers
- Known surface water and ground water wells within the permit boundary including sites used for background monitoring.
- The East Knox County water intake and water lines within the permit boundary.

•KPDES Form 1, Item 2, II

This is a surface mining operation and outfall is precipitation dependent. I have included a drawing depicting the sediment structures, the watershed areas contributing flow to each discharge and water flow via diversion ditches directed to these ponds.

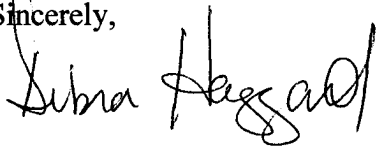
This operation is in the permitting phase and no site work has currently been done. Analysis submitted with the original application was from samples collected from a background surface water sample location and from cumulative background surface water monitoring data.

These samples reflect the current conditions of water leaving the site but would not reflect water quality influence from this operation. In order to quantify any contaminant from this project, I proposed to sample for the additional parameters within one year of the start up of this operation.

Should you have questions or need additional information, please contact me at (606) 526-6396 or by email: dhaggard@engrservices.com.

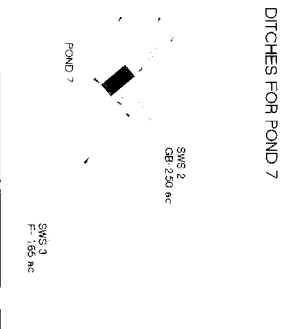
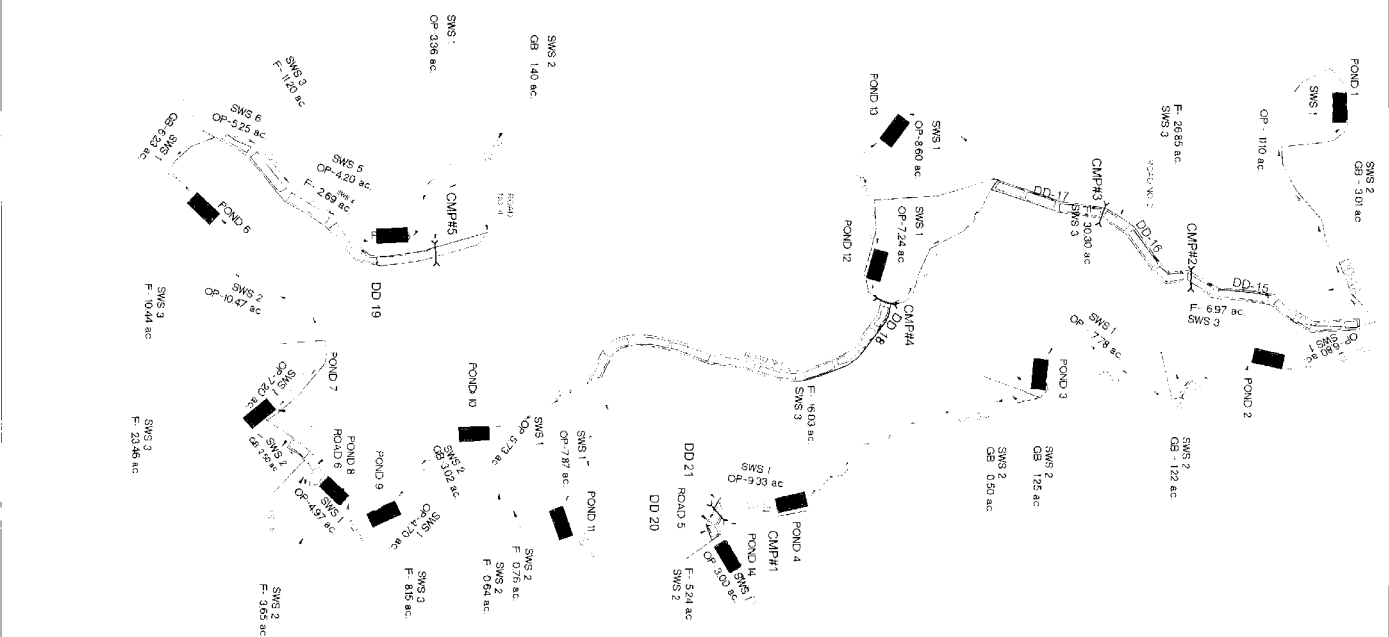
Thank you for your prompt consideration of these items.

Sincerely,

A handwritten signature in black ink, appearing to read "Debra Haggard". The signature is written in a cursive, flowing style with a large initial "D".

Debra Haggard, Biologist

- LEGEND**
- F - FOREST (WITH EXISTING SLOPE)
 - OP - OPEN PIT - MINING AREA (AT A 1% SLOPE)
 - GB - GRADED BARE (RECLAIMED TO A 40-50% SLOPE)
 - DIV - DIVERSION DITCH AT 1% SLOPE
 - POND WATERSHED
 - SUBWATERSHED DIVIDE



M. A. GAMBRELL ENGINEERING CO., INC.
 RT. 7 BOX 277C
 FINEVIEW, NEW YORK 14057

EVANS COAL CORP.
 PERMIT NO. 861-5340
 SEDCAD SUBWATERSHED MAP

